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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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11 ARGONAUT INSURANCE COMPANY,

12 Plaintiff

13 vs.

14 PAYSIGN, INC., MARK R. NEWCOMER,  
15 MARK ATTINGER, DANIEL R. HENRY,  
16 JOAN M. HERMAN, BRUCE A. MINA,  
DANIEL H. SPENCE, DENNIS TRIPPLETT,  
and QUINN WILLIAMS,

17 Defendants

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Case No. 2:23-cv-00713-RFB-NJK  
**ORDER GRANTING  
STIPULATION TO EXTEND TIME  
FOR DEFENDANTS TO RESPOND TO  
COMPLAINT**  
**(Fifth Request)**

1 Pursuant to LR IA 6-1 and LR 7-1, the parties, through their respective counsel, stipulate  
2 to extend the time for Defendants to file their response to Plaintiff's Complaint for Declaratory  
3 Relief (ECF No. 1). The parties submit that good cause exists for this stipulation based on the  
4 following:

- 5 1. Plaintiff filed its Complaint on May 5, 2023 (ECF No. 1).
- 6 2. The Complaint was served on defendant Paysign, Inc. on or about June 7, 2023.
- 7 3. Subsequent to this initial service, attorney Brian G. Friel, who represents Paysign,  
8 Inc., advised that his office will be among the attorneys representing all Defendants, and agreed to  
9 accept service of the Complaint on behalf of all remaining unserved Defendants.

10 4. As part of this procedural cooperation between the parties, the parties initially  
11 agreed that all Defendants will have until July 28, 2023 to respond to the Complaint, and the parties  
12 submitted a stipulation to this effect (ECF No. 17).

13 5. Since that time, the parties have been actively engaged in discussions regarding  
14 the merits of the issues raised in the Complaint in an attempt to avoid the time and expense of further  
15 litigation. To facilitate these ongoing discussions, the parties agreed that an additional 30-day  
16 extension for Defendants to respond to the Complaint would be mutually beneficial. The parties  
17 stipulated to this extension, which provided Defendants with an extension to respond to the  
18 Complaint to August 28, 2023. (ECF No. 19). For these same reasons, the parties agreed to two  
19 further additional 30-day extensions for Defendants to respond to the Complaint. (ECF Nos. 21, 22).  
20 The current response deadline is October 27, 2023. (ECF No. 23).

21 6. The parties continue to actively engage in settlement discussions, and have  
22 enlisted the assistance of a mediator. However, an agreement has not yet been reached. The parties  
23 agree that an additional 30-day extension will be mutually beneficial to continue to facilitate the  
24 ongoing settlement dialogue. The parties therefore agree and respectfully submit that good cause  
25 exists for an additional 30-day extension, or to November 27, 2023, for Defendants to respond to  
26 the Complaint.

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1           7. This stipulation constitutes the parties' fifth requested extension of time.

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3           Dated this 23<sup>rd</sup> day of October, 2023

4           LEWIS BRISBOIS BISGAARD & SMITH LLP

Dated this 23<sup>rd</sup> day of October, 2023

LEMONS, GRUNDY & EISENBERG, PC

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7           */s/ Jeffrey D. Olster*  
8           Jeffrey D. Olster  
9           Nevada Bar No. 8864  
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11          Las Vegas, Nevada 89118  
12          *Attorneys for Plaintiff*  
13          ARGONAUT INSURANCE COMPANY

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15          \_\_\_\_\_  
16          */s/ Christian L. Moore*  
17          Christian L. Moore  
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21          *Attorneys for Defendants*  
22          PAYSIGN, INC., MARK R. NEWCOMER, MARK  
23          ATTINGER, DANIEL R. HENRY, JOAN M.  
24          HERMAN, BRUCE A. MINA, DANIEL H.  
25          SPENCE, DENNIS TRIPLETT and QUINN  
26          WILLIAMS

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IT IS SO ORDERED:

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UNITED STATES MAGISTRATE JUDGE  


DATED: October 24, 2023